

**REMARKS**

**STATUS OF CLAIMS**

Claims 1-9 are pending.

The Examiner maintains from the previous Office Action the rejections of pending claims 1-9 under 35 USC 103(a) as being unpatentable over Ross (US Patent No. 5,553,139) in view of Hasebe (US Patent No. 5,392,351).

Claim 8 is cancelled without prejudice or disclaimer.

Claims 1, 7, and 9 are amended, and, thus, claims 1-7 and 9 remain pending for reconsideration, which is respectfully requested.

No new matter has been added in this Amendment. The foregoing rejections are hereby traversed.

**CLAIMED INVENTION**

Independent claims 1 and 9 are amended to further clarify the patentably distinguishing features of the present invention.

Independent claims 1 and 9 are directed, for example, to a license devolution apparatus of the present invention as described in page 32, line 18 of the present Application, including FIGS. 6 and 7, which is a system devolving a right to use contents (license) from the head office to branch offices, for example, in a certain company.

Dependent claim 7 is amended to clarify another configuration of the present invention, according to which the license devolution apparatus configured as a composite storage unit devolves a license from the first storage medium to the second storage medium, as shown in FIG. 1.

**ROSS AND HASEBE**

In contrast to the Examiner's assertion, Ross does not disclose the present invention's license devolution apparatus as recited in amended independent claims 1 and 9. In particular, (1) Ross does not disclose accessing means accessing two storage mediums for devolution (i.e., Ross does not disclose the apparatus configuration of the present invention's FIGS. 6 and 7, including FIG. 1); (2) Ross does not generate a second license information, which is devolved from the first license information and encrypted with a second media ID; and (3) the recitation

“devolve” clearly refers to the idea of transferring (relinquishing) license rights from one storage medium to another storage medium and using media IDs of the transferor and the transferee to protect the transferred license rights, respectively, which differs from Ross.

Ross discloses license distribution and license selection via an obtained enabler key (column 4, lines 1-5) and not via “devolution.” Ross, column 2, lines 33-38 only discloses that information that the user provides, such as a user’s name, may become part of the enabling information. In other words, Ross does not use the media ID of the user’s storage and does not disclose or suggest the recitation, “encrypting the key and a second license information that represents a second right to use the contents devolved from the first license information stored on the first storage medium, ... with the read second media ID.” However, in Ross, the enabling information is not same as devolving, because the claimed invention is an apparatus with two storage mediums (e.g., a first storage medium in a head office computer and a second storage medium in a branch office computer, which is in network communication with the head office computer; or a composite storage unit including the first and second storage mediums) that devolves license information from a first license information with a first user storage medium ID to a second license information with a second user storage medium ID. In contrast, in Ross, a enabler key enables existing license information in a storage medium and is not used by a computer to perform “license devolution.”

Regarding Hasebe, a combined system of Ross and Hasebe does not render the claimed invention obvious, because Ross and Hasebe do not disclose or suggest the recitation, “accessing means for accessing a first storage medium storing contents encrypted with a predetermined key, storing a first media ID identifying the first storage medium, and storing a first encryption secure information by encrypting the key and a first license information that represents a right to use the contents ... with the first media ID and accessing a second storage medium storing a second media ID identifying the second storage medium.” Further, the claimed invention comprises “decoder,” “devolving unit,” and “encryption unit” reading and using the media IDs of the first and second storage mediums for secure (encrypted) license devolution (claim 9). In particular, for example, claim 1 recites, “encryption means for reading the second media ID and encrypting the key and a second license information that represents a second right to use the contents devolved from the first license information stored on the first storage medium, ... with the read second media ID.” Further, Hasebe only discloses a storage medium 11 that stores and reads content and permission information based upon a medium ID of the medium 11. Therefore, Hasebe does not disclose two storage mediums (e.g., networked

storage mediums or composite storage unit storage mediums) and license devolution between them based upon the media IDs.

DEPENDENT CLAIM 7

Further, regarding dependent claim 7, Ross does not disclose or suggest, "a composite storage unit." In particular, in contrast to Ross and Hasebe, the claimed invention as recited in amended dependent claim 7, provides:

wherein the first and second storage units form a composite storage unit, the composite storage unit further comprising a first drive and a second drive driving the first storage medium and the second storage medium, respectively, said first drive and said second drive having a first firmware and second firmware accessing the first storage medium and the second storage medium, respectively,

wherein said decoding means and said encryption means are arranged ~~in~~as a composite unit firmware including said first firmware and said second firmware ~~in form of a composite unit~~; and

wherein only said first firmware has authority to access the first storage medium driven by said first drive, and only said second firmware has authority to access the second storage medium driven by said second drive.

The Examiner does not provide a rationale for rejecting the present invention's license devolution apparatus configured as a composite storage unit (see, pages 7-8 of the Office Action). Clearly, Ross and Hasebe do not disclose a composite storage unit, which performs license devolution using the composite unit's first and second storage mediums. Clearly, therefore, at least dependent claim 7 is allowable.


**CONCLUSION**

In view of the claim amendments and the remarks, withdrawal of the rejections of claims 1-7 and 9, and allowance of claim 1-7 and 9 is respectfully requested.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

Respectfully submitted,  
STAAS & HALSEY LLP

Date: 9/17/2003

By:   
Mehdi Sheikerz  
Registration No. 41,307

1201 New York Avenue, NW, Suite 700  
Washington, D.C. 20005  
Telephone: (202) 434-1500  
Facsimile: (202) 434-1501